

Court of Appeals, Division One**Special Action****1 CA-SA 15-0315****GARZA v. HON GAMA/SWIFT****Appellate Case Information**

Case Filed: 23-Dec-2015

Case Closed:

Dept/Composition**Department E**Hon. Diane M Johnsen
Hon. Patricia A Orozco
Hon. Kenton D Jones**Side 1. LEONEL GARZA, and all persons similarly situated, Petitioner****(Litigant Group) LEONEL GARZA**

- Leonel Garza

Attorneys for: Petitioner

Robert B Carey, Esq. (AZ Bar No. 11186)

Leonard W Aragon, Esq. (AZ Bar No. 20977)

Michella Kras, Esq. (AZ Bar No. 22324)

Side 2. THE HONORABLE J. RICHARD GAMA, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,**Respondent Judge,****SWIFT TRANSPORTATION CO., INC.,****Real Party in Interest., Respondent****(Litigant Group) HONORABLE J. RICHARD GAMA**

- Hon. J Richard Gama, Respondent Judge

(Litigant Group) SWIFT TRANSPORTATION CO., INC.

- Swift Transportation Company Inc, Real Party in Interest

Attorneys for: Real Party in Interest

Rebecca Lumley, Esq. (AZ Bar No. 25604)

James C Sullivan, Esq. (MO Bar No. 38318)

Travis Salmon, Esq. (MO Bar No. 53090)

CASE STATUSJan 10, 2017....**Pending Closure****PREDECESSOR CASE (S)**

MAR CV 2004-001777

Cause/Charge/Class**Judgment/Sentence****Judge, Role <Comments>**J Richard Gama, Authoring
Judge of Order**Trial****Dispo****DESCENDENT CASE (S)**

ASC CV-16-0195-PR

OPEN DUE DATE**Stay Request (re: Writ of Certiorari) due****Due By:** Wednesday, January 25, 2017Re: Minute Letter of ASC: Petition for Review **DENIED****CASE DECISION****12-Jul-2016 OPINION**

Diane Johnsen.....Author

Patricia Orozco.....Concur

Kenton Jones.....Concur

Filed: **12-Jul-2016**

Mandate:

Decision Disposition

Jurisdiction Accepted
Relief Granted**60 PROCEEDING ENTRIES**

1. 23-Dec-2015 FILED: Party Contact Information for Petition for Special Action (Petitioner)

2. 23-Dec-2015 FILED: Petition for Special Action; Certificate of Compliance (Petitioner)

3. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume I [0001-0648] (Petitioner)

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4.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume II [0649-0810] (Petitioner)
5.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume III [0811-0972] (Petitioner)
6.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume IV [0973-1134] (Petitioner)
7.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume V [1135-1296] (Petitioner)
8.	23-Dec-2015	FILED: Order Setting Dates/petition set for am of 1/20/16 by Dept E, Judges Johnsen, Orozco, Jones
9.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume VI [1297-1620] (Petitioner)
10.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume VII [1621-1782] (Petitioner)
11.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume VIII [1783-1863] (Petitioner)
12.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume IX [1864-1944] (Petitioner)
13.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume X [1945-2025] (Petitioner)
14.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume XI [2026-2268] (Petitioner)
15.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume XII [2269-2430] (Petitioner)
16.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume XIII [2431-2511] (Petitioner)
17.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume XIV [2512-2592] (Petitioner)
18.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume XV [2593-2916] (Petitioner)
19.	23-Dec-2015	FILED: Appendix to Petition for Special Action Volume XVI [2917-3090] (Petitioner)
20.	23-Dec-2015	FILED: Certificate of Filing and Service (Appendix to Petition for Special Action) (Petitioner)
21.	23-Dec-2015	FILED: Motion to File Appendix of Confidential Documents Under Seal; Certificate of Filing and Service; Exhibit 1 (Petitioner)
22.	23-Dec-2015	FILED: Certificate of Filing and Service (Petitioner)
23.	23-Dec-2015	FILED: Certificate of Filing and Service (Petitioner)
24.	23-Dec-2015	FILED: Appendix of Confidential Documents to Petition for Special Action - Volume XVII [3091-3173] (To Be Filed Under Seal) (Petitioner)
25.	23-Dec-2015	FILED: Certificate of Filing and Service (Appendix of Confidential Documents) (Petitioner)
26.	24-Dec-2015	FILED: Petitioners' Notice of Errata; Certificate of Filing and Service (Re Notice of Errata) (Petitioner)
27.	24-Dec-2015	FILED: Amended Party Contact Information for Petition for Special Action (Petitioner)
28.	28-Dec-2015	RECEIPT No.: 2015-01780 ; \$280.00, Authorization: Ref162006295420, Applied to: LEONEL GARZA - Class A Filing Fee (\$280.00) Paid for: Hagens Berman Sobol Shapiro LLP - By Integrated Resource Systems IN
29.	28-Dec-2015	ORDERED: Motion to File Appendix of Confidential Documents Under Seal = GRANTED and accepting the appendix as filed under seal on 12/23/15, subject to access by court personnel as needed for processing this appeal. Hon Diane M Johnsen - Author
30.	5-Jan-2016	FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Filing and Service (Real Party in Interest)
31.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume I (1-690) (Real Party in Interest)
32.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume II (691-983) (Real Party in Interest)
33.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume III (984-1167) (Real Party in Interest)
34.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume IV (1168-1267) (Real Party in Interest)
35.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume V (1268-1321) (Real Party in Interest)

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36.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume VI (1322-1371) (Real Party in Interest)
37.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume VII (1372-1408) (Real Party in Interest)
38.	5-Jan-2016	FILED: Supplemental Appendix to Petition for Special Action Volume VIII (1409-1615) (Real Party in Interest)
39.	5-Jan-2016	FILED: Certificate of Filing and Service re Appendix Volumes I-VIII (Real Party in Interest)
40.	12-Jan-2016	RECEIPT No.: 2016-00032 ; \$140.00, Authorization: #07010064051, Applied to: SWIFT TRANSPORTATION CO., INC. - Class B Filing Fee (\$140.00) Paid for: Polsinelli PC - By Integrated Resource Systems
41.	12-Jan-2016	FILED: Reply In Support of Petition for Special Action; Certificate of Filing and Service; Certificate of Compliance (Petitioner)
42.	14-Jan-2016	FILED: Petitioners' Notice of Errata; Certificate of Filing and Service (Petitioner)
43.	14-Jan-2016	FILED: Corrected Reply In Support of Petition for Special Action; Certificate of Filing and Service; Certificate of Compliance (Petitioner)
44.	22-Jan-2016	ORDERED: setting this case for oral argument on 2/17/16 @ 2 pm. Each side will be allowed 20 minutes for argument. (See order) Hon Diane M Johnsen - Author
45.	9-Feb-2016	FILED: Return Receipt for Notice of Oral Argument signed by James C Sullivan on 1/22/16; Certificate of Filing and Service (Real Party in Interest)
46.	9-Feb-2016	FILED: Return Receipt for Notice of Oral Argument signed by Robert B Carey on 1/22/16; Certificate of Filing and Service (Petitioners)
47.	17-Feb-2016	FILED: Sign-in Sheet/Case is Under Advisement (Dept E)
48.	22-Feb-2016	FILED: Petitioner's Motion for Leave to File Supplemental Memorandum of Legal Authorities; Certificate of Filing and Service; Exhibit A (Petitioner)
49.	29-Feb-2016	FILED: Response to Petitioner's Motion for Leave to File Supplemental Memorandum of Legal Authorities, or Alternatively, Motion for Leave to Respond to Petitioner's Supplemental Memorandum; Certificate of Service (Real Party in Interest)
50.	7-Mar-2016	FILED: Petitioner's Reply In Support of Motion for Leave to File Supplemental Memorandum of Legal Authorities; Certificate of Filing and Service; Exhibit A (Petitioner)
51.	24-Mar-2016	FILED: Petitioner's Rule 17 Supplemental Citation of Legal Authorities; Certificate of Filing and Service (Petitioner)
52.	20-May-2016	FILED: Petitioner's Rule 17 Supplemental Citation of Legal Authorities; Certificate of Filing and Service; (Petitioner's Rule 17 Supplemental Citation of Legal Authorities) Exhibit A
53.	12-Jul-2016	OPINION (Jurisdiction Accepted, Relief Granted) Hon Diane M Johnsen - Author; Hon Patricia A Orozco - Concur; Hon Kenton D Jones Judge - Concur
54.	12-Jul-2016	FILED: Opinion Distribution List
55.	27-Jul-2016	FILED: Petitioner's Motion for Reconsideration; Certificate of Compliance; Certificate of Filing and Service (Petitioner)
56.	27-Jul-2016	FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Filing and Service (Real Party in Interest)
57.	28-Jul-2016	ORDERED: Petitioner's Motion for Reconsideration and Motion for Reconsideration (Real Party in Interest) = DENIED. Hon Diane M Johnsen - Author
58.	15-Aug-2016	FILED: Email Notice from ASC re: Petition for Review filed 8/12/16; request for partial record
59.	15-Aug-2016	FILED: Letter forwarding partial record to Arizona Supreme Court
60.	10-Jan-2017	FILED: Letter from ASC, 1/10/17, re: Petition for Review DENIED on 1/10/17